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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/010,193	01/21/1998	DAVID LEE GARRISON	33500-00004	8380

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	36

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/010,193	GARRISON ET AL.
	Examiner Sam Rimell	Art Unit 2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-4,6,7,11,13-15,19-21,25-31,35-44 and 47-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4,6,7,11,13-15,19-21,25-31,35,36,39-44 and 47-50 is/are rejected.
- 7) Claim(s) 37 and 38 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. **SAM RIMELL** **PRIMARY EXAMINER**

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

Preliminary Note: Applicant's amendment of October 9, 2002 has been approved for entry. This office action includes new grounds of rejection in view of the reference to Kolling et al. (U.S. Patent 5,920,847) and is accordingly made non-final. Indications of allowable subject matter appear at the end of the action.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 40 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 40: The phrase "to pay the payor" is inconsistent with applicant's disclosure, and apparently should read "to pay the payee".

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 11, 13-15, 19-21, 28-31, 35, 39-44 and 48-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolling et al. (U.S. Patent 5,920,847).

Claim 1: Reference is made to FIG. 4 of Kolling et al. FIG. 4 discloses a single remittance processing center (102) having a database (103) of payee information (database of billers). The single remittance processing center (102) receives payment requests (124) from a plurality of independent sources (Bank C) connected to the single remittance processing center. Since a bank normally has a plurality of customers, each independent source (Bank C) can

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transmit a set of requests rather than a single request. For example, all of the requests which are transmitted during a single business day would correspond to a set of requests from a plurality of payors (customers) directed to a plurality of payees (billers). All of the transactions within a single hour or other time period could be similarly characterized as being a set of payment requests.

The payment requests (124) are processed at the single remittance center (102) so as to generate payment directions to the payee's bank (Bank B). The payment made to the payee's bank can be done by electronic crediting. The electronic crediting occurs when the payee can be identified by using the database of payee information (108).

Claim 2: As set forth above, the set of payment requests can be the set of payment requests that are transmitted during a normal business day. Thus, a first set of payments would have a first format (first transaction date) and a second set would have a second format (second transaction date). When payment requests pass through the remittance processing center (102), they are "normalized" in the sense they are changed to a format which includes payee data from the database (108).

Claim 3: The payment requests arrive at the remittance processing center (102) with a first format (first transaction date). The payment request may be "normalized" by adding data to the payment request, such as by adding payee information from the database (102) to the payment request so that the payment directions be addressed to Bank B in order to pay the payee.

Claim 4: Col. 15, lines 61-63 describe a batch file in which a single payor (consumer) may request multiple payments in a single payment request. This is readable as a batch file and can be sent in one of the payment sets.

Claim 6: The payment advice is the payment message sent from the remittance center (102) to the payee's bank (Bank B).

Claim 11: Each of the payees has one or more remittance centers, which are the payee's bank (Bank B). Each of the payment requests includes a payor account number with the first payee (the Biller reference number, "BRN" provided in the original bill to the payor, col. 15, line 47). As described in col. 17, lines 19-30, the BRN is a database key, and is used to look up a Bank ID or "BID" for the biller's bank. Thus, the alphanumeric characters (numbers) in the BRN are read by the remittance center (102) and selection is then made for a payee remittance center (The Biller's Bank B) by looking up the ID for Bank B in the database. Payments are then directed to the payee's remittance center (Biller's Bank B).

Claim 13: The processor at remittance center (102) stores programming instructions which cause the payment message to be altered by adding a payee bank ID (BID) to the account number data and identification data in the original payment message (col. 16, lines 43-53). The message is thus transformed by this addition. The transformed message includes a payor name (source of funds, col. 15, line 59) which existed in the original message before it was transformed.

Claim 14: The altered payment message is transmitted to the payee's bank. The payee's bank then forwards the payment information to payee's ledger (42).

Claim 15: Col 16, lines 29-35 describe the application of validation rules to the payment message.

Claim 19: See remarks for claim 1. Note that the input ports are the inputs to remittance center (102). The database is the database (108) and the processor and the processor is the computer system within the remittance center (102).

Claim 20: See remarks for claim 4.

Claim 21: See remarks for claim 3.

Claim 28-30: See remarks for claim 11.

Claim 31: Col 16, lines 29-34 describe a set of validation rules used to validate payment messages. The validation rules can be used by either payor's bank (Bank C) or the remittance center (10). Thus, rules can be stored in a processor at either location. The validation rules check the payment message to assure that the payment message is valid. The processor at remittance center (102) then alters the payment message to include the ID of the payee's bank (col. 16, lines 48-60) in addition to the payee account number (BRN on the original payment message). The programming instructions which cause the alteration to the payment message are readable as the alteration rules. The altered account number has a payor name (the source of funds identified on the original payment message, col. 15, line 59).

Claim 35: See remarks for claim 1.

Claim 39: The remittance center (102) stores alteration rules, which are programmed instruction to modify the original payment message by adding a payee bank ID (BID) to the payment message by looking up the BID in the database (108). The payment message is thus transformed to include payment directions so as to direct payment to the payee's bank (Biller Bank B).

Claim 40: The payee (biller) has a plurality of remittance centers (the central remittance center 102 and the Biller's Bank B). The central remittance center (102) uses the database table (102) to take a payor account number (BRN on the original payment message) and generate an ID for payor remittance center (Biller's Bank B). The payment message then becomes a payment direction to one of the payee's remittance centers (Biller's Bank B) to provide payment to the payee (Biller B).

Claim 41: See remarks for claim 1.

Claim 42: See remarks for claim 2.

Claim 43: See remarks for claim 3.

Claim 44: See remarks for claim 4.

Claim 48: See remarks for claim 11.

Claim 49: See remarks for claim 31.

Claim 50: See remarks for claim 1. Note that the input port is the input to remittance center (102). The database is the database in remittance center (102). The processor is the computer system operating in the remittance center (102).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 25-27, 36 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling et al. (U.S. Patent 5,920,847).

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Claim 7: Each payment message which leaves the payor's bank (Bank B) includes a payor name (source of funds, col. 15, line 59). The payment message is received by the remittance center (102) and processed to locate an account number on the message (the BRN, col. 15, line 58). Kolling et al. differs from claim 7 in that this BRN number is not explicitly identified as having 11 digits. However, col. 15, liens 39-45 of Kolling et al. describe the BRN as having "n-number" of digits, where each digit can range between 0-9. Although, Kolling et al. does not specifically call out the usage of 11 digits for the BRN, forming the BRN with 11 digits instead of 9 would have been obvious to one of ordinary skill in the art as a specific choice of design, since Kolling et al. allows the BRN to be of any length. The BRN is used as the key to access the database (108) and locate the payee's bank (Biller Bank B).

Claim 25-27, 36 and 47: See remarks for claim 7.

Claims 37-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell  
Primary Examiner  
Art Unit 2175